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2 5 7008 hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: missioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Gary D. Greenblatt

Type or print name

Signature

**ART UNIT: 1651** 

EXAMINER: LILLING, HERBERT J

September 22, 2006

Date

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

**DANIEL BENIGNI, ET AL.** APPLICATION NO: 10/668,032

FILED: 09/22/2003

FOR: METHODS FOR THE PREPARATION, ISOLATION AND PURIFICATION OF EPOTHILONE B,

AND X-RAY CRYSTAL STRUCTURES OF EPOTHILONE B

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

### INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. §1.56, applicant wishes to call the Examiner's attention to the references cited on the attached form(s) PTO-1449.

These references were cited in a Foreign Office Action in a corresponding European application. Copies of these references and the Foreign Office Action are enclosed herewith.

The Examiner is requested to consider the foregoing information in relation to this application and indicate that each reference was considered by returning a copy of the initialed PTO 1449 form(s).

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# Certificate under 37 C.F.R. §1.97(e)(1)

I, the undersigned attorney, hereby certify that each item of information contained in this Information

Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign
application not more than three months prior to the filing of this Statement.

Respectfully submitted,

Bristol-Myers Squibb Company Patent Department P.O. Box 4000 Princeton, NJ 08543-4000

Gary D. Greenblatt Agent for Applicant Reg. No. 47,609 Phone: 609-252-3850

Date: September 22, 2006



#### **CERTIFICATE OF MAILING**

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Gary D. Greenblatt

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Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

### FEE LETTER FOR INFORMATION DISCLOSURE STATEMENT

Sir:

Please charge Deposit Account No. 19-3880 in the name of Bristol-Myers Squibb Company in the amount of \$180 for payment of the fee pursuant to 37 CFR §1.17(p) for the submission of an Information Disclosure Statement under 37 CFR §1.97(c).

An additional copy of this paper is here enclosed. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 19-3880 in the name of Bristol-Myers Squibb Company.

Respectfully submitted,

Bristol-Myers Squibb Company Patent Department P.O. Box 4000 Princeton, NJ 08543-4000 Gary D. Greenblatt
Agent for Applicant
Reg. No. 47,609

Phone: 609-252-3850 Date: September 22, 2006

PTO/SB/08A (8/03) Approved for use through 07/31/2006. OMB 0551-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Substitute for form 1449/PTO COMPLETE IF KNOWN INFORMATION DISOL **Application Number** 10/668,032 09/22/2003 Filing Date DANIEL BENIGNI First Named Inventor STATEMENT BY APPLICANT(S) Art Unit 1651 (use as many sheets as necessary) Examiner Name LILLING, HERBERT J 2 Sheet Attorney Docket Number LD0283 NP of

U.S. PATENT DOCUMENTS							
Examiner Initials	Cite No.	Document Number	Publication date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
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	AA	WO 02/46196	06/13/02	PCT		
	AB	WO 03/070170	08/28/03	PCT		
	AC	WO 00/71521	11/30/00	PCT		
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Substitute for form 1449/PTO				COMPLETE IF KNOWN		
				Application Number	10/668,032	
INFORMATION DISCLOSURE				Filing Date	09/22/2003	
				First Named Inventor	DANIEL BENIGNI	
S	TATEMENT	BY APPLI	CANT(S)	Art Unit	1651	
(use as many sheets as necessary)				Examiner Name	LILLING, HERBERT J	
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	AD	Hardt et al., "New Natural Epothilones from Sorangium cellulosum, Strains So ce90/B2 and So ce90/D13: Isolation, Structure Elucidation and SAR Studies", Journal of Natural Products, Vol. 64, No. 7, pgs. 847-856 (2001) and Electronic Supporting Information pgs. 1-16.			
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